

**Notice of Allowability**

Application No.	Applicant(s)
09/753,815	KAPLAN ET AL.
Examiner	Art Unit
Pedro J. Cuevas	2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed on March 4, 2003.
2.  The allowed claim(s) is/are 18-40 T.C.
3.  The drawings filed on 04 March 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.	<input type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 18-40 are allowed.
2. The following is an examiner's statement of reasons for allowance.

Meyers clearly teaches the construction of a pulsating torque apparatus and method comprising:

a stator formed having a plurality of individual phase segments which are arranged in an annular array, the stator being connected to a base, the segments being provided with phase windings and stator pole teeth, said phase segments being connected with a stationary bearing race, and said pole teeth projecting in a generally radial direction; and

a rotor, surrounded by said stator, formed integrally with a bearing race, said rotor being vertically supported by said stator by a plurality of ball-bearing bearing members, said rotor having a plurality of rotor pole teeth disposed adjacent said stator pole teeth, said rotor pole teeth being separated from said stator pole teeth by a first generally vertically extending gap.

Apsit et al. teach the construction of an inductor generator having:

a rotor with a large central opening;

a stator having a core which is supported underneath a base connected with a stator race; and

a section of said rotor overlaps a section of said stator, for the purpose of providing a winding-less toothed rotor.

F. Mayer teach the construction of an apparatus having a rotor and a stator with pole teeth facing each other across two vertical annular gaps for the purpose of furnishing electrical signals for torque measurement.

The prior art of record taken alone or in combination fails to disclose the construction of a variable reluctance motor and an aimable ordinance platform as claimed on independent claims 18-22, and 32 wherein:

the stator has a coil winding which is vertically suspended underneath the bearing race of the stator; or

the rotor has a core, which is vertically suspended underneath the bearing race of the rotor.

Dependent claims 23-31, and 33-40 are considered allowable by their respective dependence on allowed independent claims 22 and 32.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

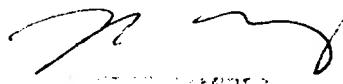
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pedro J. Cuevas whose telephone number is (703) 308-4904. The examiner can normally be reached on M-F from 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor R. Ramírez can be reached on (703) 308-1371. The fax phone numbers for

the organization where this application or proceeding is assigned are (703) 305-1341 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Pedro J. Cuevas  
May 14, 2003



PEDRO J. CUEVAS  
U.S. PATENT AND TRADEMARK OFFICE  
May 14, 2003